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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined seventh and eighth periodic reports of Honduras

Addendum

Responses of Honduras*

[Date received: 15 June 2016]

* The present document is being issued without formal editing.

Please recycle

The institutions taking part in the institutional working group were: National Institute for Women (INAM); the Judiciary; National Congress; Ministry of Security; Office of the Attorney General; Office of the Public Prosecutor; Ministry for the Development of the Indigenous and Afro-Honduran Peoples (SEDINAFROH); Ministry of Education; Ministry of Labour and Social Security (STSS); Ministry of Foreign Affairs and International Cooperation; National Institute of Migration (INM); National Statistics Institute (INE); Ministry of Development and Social Inclusion (SEDIS); General Directorate for Persons with Disabilities, Ministry of Human Rights, Justice, Interior and Decentralization (SDHJGD); Ministry of Health (SESAL); Inter-Agency Commission against Sexual Exploitation and Trafficking (CICESCT); National Agrarian Institute (INA); National Prisons Institute (IPN); Ministry of Finance; National Institute for Retirement and Pensions of Executive Branch Employees (INJUPEMP).

Tegucigalpa, 16 May 2016

Constitutional, legislative and policy framework

1. Please provide information on the steps taken to expedite the adoption of the draft bill on compensation for victims of human rights violations (CEDAW/C/HND/7-8, para. 13). Please also provide information about the amendments to article 333 of the Penal Code, on the crime of enforced disappearance of persons, and article 117, relating to the crime of murder, which would add a series of aggravating circumstances, including "based on gender, sexual orientation and civil status". Please explain how these amendments address gender specificity relating to these offences.

2. The Ministry of Human Rights, Justice, Interior and Decentralization has twice submitted a draft bill on comprehensive compensation for victims of human rights violations which did not secure final approval upon the change of legislature, since the bill provides that it must be submitted again to the next legislature.

3. The amendments to articles 333-A[1] and 117-A[2] referred to do not present aggravating circumstances based on gender specificities.

4. Please provide information about steps to overcome the reported institutional weakening of national mechanisms for women since the coup d'état in 2009, specifically information on the situation of offices at the municipal level. Following the previous concluding observations (CEDAW/C/HON/CO/6, para. 17), please provide further information on the actions taken in order to strengthen and improve the authority of the National Institute for Women, including references to financial and human resources for effectively carrying out its work. Please also inform the Committee about resources provided for the functioning of the Inter-Agency Committee on Gender (CEDAW/C/HND/7-8, para. 5) and its specific mandate, and explain the reform that reportedly took place in 2014.

5. The strengthening of gender machinery at different levels has involved restoring coordination with the women's movement, a key factor which had an impact on the weakening that occurred in 2009. Progress along these lines has made it possible to position the national machinery (INAM) and in that regard strengthen the municipal offices for women by generating capacity and by implementing communication network systems and training the personnel of these offices. Action is being taken to make changes in the rules for defining and regulating their operation under the Law on Municipalities at the national level; there are now 283 municipal offices for women (OMMs) in operation, enjoying the support of international cooperation and sectors of civil society driving a convergence of efforts towards the legal status of the offices.

6. From the period in question to the present, the National Institute for Women has undertaken, inter alia, the following activities aimed at strengthening the Institute: as part of the current restructuring, the autonomy of the Institute was preserved together with its organizational structure, which permits its operation under the law at the ministerial level;[3] through changes in the planning and budgeting process recognition is given to the Institute's leading role in public gender policy;[4] as regards financial

[1] Decree-Law 49-2012.
[2] Decree-Law 100-2014.
[3] Decree PCM-01-2014, Articles 3 and 13.
[4] Legislative Decree No. 169-2015. Budgetary Measures of 2015-2016, Article 10.

resources, the Institute has over the last five years received the same budgetary allocation on average; nevertheless, there have been internal reallocations in order to boost funding for action at the technical operational level. This measure has a positive impact on gender mechanisms at the local level.

7. In the area of human resources the Institute is maintaining the level of staffing, female and male, and the age profile is indicative of a degree of knowledge and ability conducive to the fulfilment of the Institute's role, in keeping with the measures adopted to enhance the Institute's authority.

8. The Inter-Agency Committee referred to in the prior report meets as necessary to compile information and to submit the corresponding reports; it is not receiving resources, and there is no mandate or reforms. However, the Institute is leading a process to give shape to a standing inter-agency mechanism that will have responsibility for implementation of the Second National Gender Equity and Equality Plan for 2010–2022 (II PIEGH).

Access to justice and legal complaint mechanisms

9. Please provide information about the impact of the establishment of a special prosecutor for women and about steps taken to curb the high levels of impunity for violence against women, as noted in the report of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/29/27/Add.1). According to information received, the State has recently approved $1.3 million to establish in Tegucigalpa and San Pedro Sula a unit on the investigation of violent female deaths and instances of femicide; please provide information about how the State will ensure its sustainability and the mandate of the unit. According to information received, the State has reportedly closed the Integration of Crimes against Women Unit in the Ministry of Public Services and has cancelled the helpline for victims of violence. Please provide information about the impact that this decision has had on effective access to justice. Please provide information about the reported criminalization and prosecution of the work of human rights defenders and how the bill to protect women human rights defenders in Honduras has been implemented since its adoption (see CEDAW/C/HND/7-8, para. 14). Please provide specific information on the process of implementation of that law, including the rules of procedure, in order to guarantee full access by women to the judiciary and to ensure the enjoyment of human rights by women human rights defenders.

10. From the creation of the Special Prosecutor's Office for Women to the present, that office has been encouraging the reporting of domestic violence and promoting the judicial processing of offences, women being the main victims. An innovative step to promote women's access to justice has been the implementation in 2014, on the initiative of the Special Prosecutor's Office for Women, of a Comprehensive Care Model (MAI), which makes the Gesell camera available for purposes of evidence, preventing many instances of secondary victimization, particularly for sex offences, thanks to the availability of specialized personnel with training and sensitivity to gender perspective and women's human rights. Efforts are also being undertaken in this area to implement the special protocols[5] pertaining to violence against women.

[5] Protocols of care.

11. In 2014 a 2014-2015 Strategic Plan for the Office of the Public Prosecutor was approved, which has led to the approval of new Regulations Governing Prosecutors' Offices,[6] which define the structure and operation of the head office of the Special Prosecutor for the Protection of Women, which has nationwide competence for the investigation and prosecution of any act or conduct related to gender violence and will have as its chief aims representing, defending and protecting the human rights of women victims of gender-based violence. It is organized into four sections: the Investigation Section; the Section against Sex Crimes and Discrimination; the Section against Crimes Contrary to the Integrity of the Family, including disobedience; and the Section against Domestic Violence.

12. The Honduran Government has approved a special budget for the Technical Agency for Criminal Investigation to create a unit to operate in Tegucigalpa and San Pedro Sula investigating violent deaths of women. This dedicated unit will have nationwide competence and jurisdiction, and will conduct timely technical and scientific investigation to shed light on violent deaths and femicides in order to curb impunity levels. The unit's sustainability will be ensured by a budget approved by legislative decree through an annual appropriation in the General Budget of the Republic.

13. Strictly speaking, there is no Crimes against Women Unit per se in the Ministry of Public Services. The 114 help line has not ceased operating as such; all the lines were transferred and are operating through the 911 emergency help line. All calls are now routed through to personnel specialized in domestic violence in order to prompt an immediate emergency response from the national police. Accordingly, no negative impact on reporting processes has been noted.

14. The Honduran Government has taken structural measures to ensure protection of human rights defenders — male or female — as well as their families, by enacting the Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Legal Practitioners,[7] which is designed to recognize, promote and protect human rights and fundamental freedoms contained in the Constitution of the Republic and international law instruments. To implement this law a national Protection System for Human Rights Defenders has been established to coordinate with public institutions and civil society sectors and to manage overall initiatives, rules and resources for the application of the Law. A National Protection Council has been formed as a deliberative body to advise the protection system and to formalize the process of application of measures, providing for differentiated treatment for each beneficiary of the Law.

Temporary special measures

15. In paragraphs 44 to 49 of its report, the State party refers to several projects and programmes carried out between 2006 and 2011. Please provide information about how these measures have accelerated the realization of de facto equality of women. Furthermore, please advise if the State party has in place an affirmative action policy aimed at ensuring a greater presence of women in positions in the executive and public administration. Please also provide information about plans to implement temporary special measures, in

[6] Agreement FGR-0102016.
[7] Legislative Decree 34-2015.

line with previous concluding observations and the Committee's general recommendation No. 25 (2004) (CEDAW/C/HON/CO/6, para. 23).

16. From the time in question to the present, significant strides have been made in Honduras with regard to women's social and political participation. The reform process aimed at ensuring women's participation under conditions of parity has led to the formulation of parity under the law. Under the present administration, based on the national women's mechanism in coordination with the legislative branch and women representatives of political parties, efforts are under way for the approval of regulations pursuant to the Elections and Political Organizations Act to ensure parity and alternation (vertical and horizontal) as a temporary measure to ensure de facto equality for women.

17. On another score, measures have been taken to ensure conditions of equality for women and men performing public duties, including budgetary provisions requiring public bodies to give an accounting of payrolls disaggregated by job and by gender.[8]

18. With regard to programmes conducted between 2006 and 2011, these programmes have been given continuity with the development of an evaluation of the human rights dimension in the system of police education and a proposal formulated for the reform of its contents and methodology, which are under review.

Stereotypes and harmful practices

19. **Please provide information about steps taken to intensify efforts to promote changes in the patriarchal and male-centred culture in Honduran society. Please explain the impact of the steps taken to eliminate discriminatory social norms and stereotypes, including through the coordination of interministerial programmes and training provided to the police, among others, and the development of materials by various ministries, as noted in paragraphs 50 to 58 of the report. Please also provide information on steps taken to address the issue of multiple forms of discrimination against women, through awareness-raising campaigns and other capacity development programmes.**

20. The National Institute for Women (INAM), as lead entity and standard-setter in public policies on gender, takes the lead regarding women's human rights by influencing and advising public entities on implementation of the Second National Gender Equity and Equality Plan for 2010-2022, aiming to ensure comprehensive and equitable human development without any form of discrimination. In its activities, the Institute has made significant progress in providing technical advice and strengthening international ties.[9]

21. With regard to employment rights, a decree has been adopted that provides for equal remuneration, the right to an equitable and equal salary for work of equal value, without distinctions of any kind.

22. In 2015, the office of the National Commissioner for Human Rights (CONADEH) trained 14,234 persons on general tenets of human rights and specific issues relating to the rights of vulnerable groups, including women. These training programmes were aimed at groups of women, local authorities, national and

[8] Decree No. 168-2015.

[9] Detailed report on INAM activities in annex.

municipal police departments, civil servants, hospital and health centre employees, parents, students, human rights promotion and defence networks, legal practitioners, community leaders, personnel of municipal offices for women, and civil society in general.

23. The Inter-Agency Commission against Commercial Sexual Exploitation and Trafficking (CICESCT) has produced audiovisual and printed materials relating to the crimes of commercial sexual exploitation and trafficking in persons and a television spot has been produced which portrays the way in which victims are subjected to the various forms of this crime and gives the population the necessary information to report the crime or seek help.

24. The Gender Unit of the Judiciary, as part of its efforts to incorporate gender into institutional management, has strengthened legal practitioners with respect to human rights by establishing a training-of-trainers course aimed at boosting knowledge of the theory and practice of the international law of human rights. Talks on domestic violence and human trafficking have also been organized at study centres in rural areas.

25. The Judiciary, in coordination with the institutions comprising the inter-agency technical committee to combat violence against women, created the first Centre for Women's Rights in Tegucigalpa in 2014. The centre provides free counselling, alternative dispute settlement services, legal aid, psycho-social support, forensic evaluation, and clinical health care. The application protocol for the Domestic Violence Act has also been approved, as have the Comprehensive Care Protocol for Victims of Violence against Women in Cases of Domestic and Intra-family Violence, and the Technical Adaptation Guide for its application.

26. In 2013 the Ministry of Security, as part of the Safe Cities project, set in motion a centralized operational system to respond immediately to calls received on the emergency 911 line. This unit has personnel trained to respond to reports of violence against women.[10]

27. The Ministry of Security has developed a comprehensive prevention strategy through projects for preventing violence against women, human trafficking and femicide. Action was taken to strengthen the technical and operational capacities of the Gender Unit of the National Police and ten Municipal offices for women by the donation of a consignment of office equipment, training and development in violence prevention, and response to victims of this crime, as well as the formation of local committees for prevention of violence against women. Similarly, in the framework of the BA1 project "Preventing Violence against Women in Central America", in coordination with the National Institute for Women, there have been interventions in the ten most violent municipalities in the country, with initiatives such as: providing seed funding and technical assistance for women victims of violence, human trafficking and femicide to enable them to start their own businesses; workshops on violence prevention and male behaviours given to young people, teachers, children, educators and political leaders; sports events with young people, and art workshops given by My Community.

28. A campaign has been mounted against sexual harassment, enhancing knowledge of the subject by 68 human resources officers of public institutions.

[10] From 2014 to July of 2015, 46,323 reports of domestic violence were received and 3,404 persons were detained.

Women's rights have been advanced through the participation of the National Institute for Women in television programmes in the country. A campaign to prevent gender violence has been conducted under the theme "I am a woman and I have the right to a life free of violence".[11]

29. Please provide information about the implementation of the provisions of the Criminal Code relating to violent deaths by reason of gender ("femicide") and about the funds provided for investigative bodies to enhance their capacity to accomplish their mandate. Please indicate progress made concerning the adoption of a standard classification to delineate and record information on femicide, which is noted as a challenge in paragraph 35 of the report. Please provide information about whether such a standard classification contains data disaggregated by the age, race and sex of the victims and perpetrators, as well as about the relationship between the perpetrators and the victims, with a view to shaping more effective public policies for the protection of victims and developing further preventive measures.

30. Progress made regarding femicide includes the following: The Violent Deaths of Women Unit is entrusted with taking cognizance of all wrongful deaths in which the passive subject was of female gender, regardless of whether they meet the particular criteria of the offence of femicide. From 2011 to date there have been 549 instances of charges being brought and 203 convictions secured by the public prosecutor. In 2015 there were 29 actions filed for femicide, 10 for attempted femicide, and 282 cases instances of corpse recovery. The criminal offence in force since 27 April 2013 applies to men who kill a woman by reason of her gender, with hatred and contempt for her status as a woman.

31. According to the database of the Centre for Electronic Documentation and Judicial Information (CEDIJ), 23 cases were filed and ten orders were issued for the crime of femicide during 2015 in the criminal courts of first instance nationwide. Funds are provided through an annual appropriation in the General Budget of the Republic.

32. Objective and reliable information on the state of affairs regarding security in Honduras, including femicide, is found in data disaggregated through the National Violence Observatory, supplied by the Centre for Police Operations and Strategy, COEPOL, using population projections adjusted by the National Statistical Institute (INE). A year-to-year comparison is also carried out and information on crime trends is incorporated.[12]

33. Please provide information about the legal framework concerning domestic violence and to what extent it provides effective protection or redress from such violence. Please provide information about the existing shelters for victims of violence, including domestic violence, and plans to establish professional multidisciplinary counselling, crisis intervention services and support groups in order to assist women victims of violence and their children.

34. The Domestic Violence Act contemplates several measures to prevent and eradicate domestic violence; these measures aim to protect the physical, psychological and sexual integrity of women, and their property. Comprehensive protection is provided through the Centre for Care and Protection of Women's

[11] National Campaigns Annex.

[12] See January-December 2015 Bulletin in Annex.

Rights in Tegucigalpa. At present there are six shelters for survivors of domestic violence. One of these, Casa Nova in Tegucigalpa, has a capacity of 15 women with their daughters and sons. The shelter in San Pedro Sula, administered by the Office of the Mayor, houses 30 persons. The centre in La Ceiba, Casa Ixchel, can house ten women with their daughters and sons. The Juanita Díaz Women's Centre for Comprehensive Care can accommodate 45 persons in total: AIM/Choluteca, Santa Rosa de Copán, Casa Hogar Santa Rosa, a national model shelter — these are emergency shelters for cases of extreme violence, useful when the victim's life is at risk and she does not have a social safety net. In general, women prefer to continue living in their own environments and to be taken away from their homes only exceptionally.

35. An expansion of comprehensive services for women survivors of domestic violence is currently under way through the "Centros Ciudad Mujer" (CCMs) or "Women's City Centres", aimed at improving the living conditions of women in Honduras, giving attention to the following areas: economic autonomy, dealing with violence against women, preventing and responding to teen pregnancy, sexual and reproductive health, collective education and the like.[13]

36. Regarding legal protection of victims of violence and their children, this protection is provided through injunctions which are imposed exclusively by the competent courts or tribunals; they are designed to ensure that the responsible party complies with family responsibilities. These protective measures are temporary and not subject to appeal.

37. Further to the public recognition of its international responsibility on the killing of environmentalist Blanca Jeannette Kawas Fernández on 6 February 1995 (CEDAW/C/HND/7-8, para. 15) and the drafting of the bill on compensation for victims of human rights violations, please provide information about the prosecution and the compensation provided. Please also provide information about programmes to guarantee effective protection of human rights defenders and the steps taken in the country to put an end to the prevailing impunity regarding criminal acts against members of the indigenous community, as noted by various special rapporteurs. Please indicate steps taken to protect rural female leaders from eviction, killings, threats and violence, including with regard to their families, such as Margarita Murillo, killed in August 2014, and Berta Cáceres, killed on 2 March 2016, both of whom were subject to precautionary measures from the Inter-American Commission on Human Rights.

38. Steps taken in compliance with the operative provisions of the decision: Item 9 — conclude the criminal proceedings, initiate those corresponding to the acts that constituted the violations in the present case, and resolve them in accordance with the law within a reasonable time. At present the Public Prosecutor's Office, as lead entity in the investigation, has proceeded to form an institutional team between the prosecutor's offices of Tela, San Pedro Sula, Tegucigalpa and the Technical Agency for Criminal Investigation (ATIC) of the Public Prosecutor's Office in order to examine and pursue lines of investigation in the case of the environmentalist Kawas Fernández and, in keeping with the decision of 3 March 2016, a report on progress made in the investigations was submitted to the Inter-American Court of Human Rights. (Observations from the Court are expected). Item 12 — Erect a monument

[13] Presidential programme created by Executive Decree PCM-031-2016.

to the memory of Blanca Jeannette Kawas Fernández and proceed with posting of the signage in the national park that bears her name. The Ministry of Human Rights is moving ahead in the fulfilment of this item with the Ministry of Finance, with a view to reporting to the Inter-American Court of Human Rights. Item 14 — Prepare a national awareness-raising campaign on the importance of the work done by human rights defenders. A report was submitted to the Inter-American Court of Human Rights on training activities conducted by the Ministry of Justice and Human Rights on this point.[14]

39. Among the measures adopted for the protection of human rights defenders, a special law has been adopted and a national system for the protection of human rights defenders has been created which serves to coordinate public institutions and civil society sectors, an effective protection in the framework of the Public Policy and National Action Plan for Human Rights. Regulations pursuant to the Human Rights Defenders Act have also been adopted in order to advance the process of application; these regulations establish an orderly transition from precautionary measures and temporary special measures of protection, with differentiated treatment in applying the measures to each category of beneficiary under the Act.

40. The case of Margarita Murillo is being investigated through the High Profile Crimes Unit of the Technical Agency for Criminal Investigations (ATIC) in Tegucigalpa.

41. In the case of Berta Cáceres, on 2 May 2016 the Office of the Public Prosecutor through the Special Prosecutor for Crimes against Life (FEDCV) and the Technical Agency for Criminal Investigations (AITC) jointly with the Military Public Order Police, carried out Operation Jaguar, pursuant to the prosecutorial order timely submitted to the Court of National Jurisdiction (Juzgado de Jurisdicción Nacional), following a broad and exhaustive investigation based on technical and scientific methods. Charges have been brought before the national courts for the murder of Ms. Berta Cáceres Flores and for the attempted murder of a protected witness, have been legally substantiated, and have named the alleged perpetrators. Scientific evidence has been adduced supporting the charges, linking the actions to the events by sufficient rational indications. The Court of National Jurisdiction found the criminal case admissible and ordered the arrest of the defendants, who were subsequently brought before the competent court for trial. On 6 May an initial hearing took place and the court ordered formal indictment of the four defendants on the charge of murder as against Ms. Berta Cáceres and on the charge of attempted murder as against a protected witness.

42. With respect to evictions, the National Agrarian Institute (INA), as the government agency in charge of agrarian reform, has intervened especially in cases of eviction from lands in order to ensure, through the presence of INA personnel, compliance with the protocol established for evictions ordered by the competent courts so that they will be carried out without use of force or excessive violence.

Trafficking and Exploitation of Prostitution

43. In relation to the steps taken to criminalize and prosecute all forms of trafficking (CEDAW/C/HND/7-8, para. 66) by, inter alia, the passing of the Trafficking Act (May 2012) and the tabling of the draft bill "Special Trafficking

[14] Official Communication No. SP-A-2015 of 12 May 2015.

Act", please clarify how these steps can also combat the exploitation of prostitution. Please provide data on the number of cases of women trafficked, cases investigated, cases prosecuted and convictions of perpetrators for the crime of trafficking as well as for the exploitation of prostitution. Please provide information about the mechanisms that have been developed to implement the Trafficking Act, as well as about the regional protocol for the mapping of Central American trafficking. Please also provide information on measures taken to reduce the demand side of prostitution.

44. The Inter-Agency Commission against Commercial Sexual Exploitation and Trafficking (CICESCT) has engaged in awareness-raising and training activities on the problems of commercial sexual exploitation and trafficking in persons, the legal and conceptual framework and institutional competencies, and improvement of the institutional response, covering 5,406 people through various training events aimed at key actors, inter alia government representatives, legal practitioners, members of NGOs, private enterprise, and the media. From 2014 to 2015, 19 local committees of CICESCT were created, having an average of 20-25 members each, with representatives from government, NGOs and the private sector, linked to the promotion and coordination of actions for prevention and eradication of crime. During the first quarter of 2016, jointly with the International Organization for Migrations (IOM) and the B.A.I Project, there were seven workshops on the strengthening of local committees that focused on human trafficking as one of the most extreme forms of violence against girls and women. These workshops reached 230 key stakeholders.

45. Regarding preventive activities: audiovisual and printed materials were produced presenting information about the crimes of commercial sexual exploitation and human trafficking; and a television spot was produced against trafficking in persons, highlighting the various ways in which the victims of this crime are trapped and subjugated.

46. Statistics on Trafficking in Persons for 2009 to 2015: 92 cases under investigation; 25 cases brought to court; 12 judgments. Commercial sexual exploitation: 149 cases under investigation; 41 cases brought to court; 46 judgments.

47. With respect to laws and policies, regulations under the Trafficking Act[15] and regulations on the operation of private employment agencies and related services[16] have been approved. The Policy and National Action Plan against Commercial Sexual Exploitation and Trafficking in Persons for 2016-2022 and an Action Protocol for a Rapid Response Team have been approved.

48. The regional protocol for mapping of trafficking crimes is being used as a technical input to undertake policy actions and institutionalization of public policies aimed at preventing violence against women and girls, trafficking in persons, and femicide. Local mapping has been done in municipalities such as Trojes, Ocotepeque, and Choloma, as well as local mapping of juvenile networks: 130 juvenile networks identified in ten municipalities.

Participation in political and public life

49. Please provide information about steps taken to enhance women's participation in political and public life, in particular in the parliament and in

[15] Agreement 36-2015, 17 January 2016.
[16] Agreement STSS-141-2015. Official Bulletin of 10 September 2015.

decision-making bodies, academia, the diplomatic service and the Judiciary, concerning the implementation of the Elections and Political Organizations Act further to the reform undertaken in 2012. Please provide updated information about the implementation of the political agenda of indigenous women and Honduran women of African descent for the period 2012-2013.

50. The reform contained in Decree 54-2012 introduced Article 105-A into the Electoral Law, providing that beginning in the electoral period of 2016 the principle of parity (50 per cent women and 50 per cent men) will apply; at present, these regulations are in the process of approval by the Supreme Electoral Tribunal.

51. In the 2013 general elections, 3,275,326 voters (61 per cent of the electorate) exercised their right to vote. Of these, 53 per cent (1,736,327) were women.

52. In the framework of the "Vanguard of Human Dignity" Action Plan, CONADEH supports the individual and social development of women (empowerment of women in decision-making); it oversees and monitors compliance with national and international legislation favouring women's political participation; it receives and processes complaints from women whose right to political participation has been affected by the mere fact of being women, either in the context of an election or in the performance of elective office (the complaint may be by petition or ex officio); it pursues coordinated working relations and promotes strategic alliances in regard to political rights between the branches of government and the various competent public entities, municipal governments, civil society organizations, academic bodies and international fora, with the aim of coordinating activities and strengthening women's civic involvement and capacity for political participation.

53. The implementation of the political agenda of indigenous Honduran women and Honduran women of African descent is in process of social realization with local authorities, a process of becoming a public policy of the State. In the course of this process, training events have been held on topics of sexual and reproductive health and human and gender rights. The Domestic Violence Act and the Equal Opportunities for Women Act have also been translated into indigenous and Afro-Honduran languages. And, under the aegis of the Office of the First Lady, efforts are under way to strengthen entrepreneurial initiatives among indigenous Lenca women.

Education

54. **Please provide information about the State budget dedicated to improving the access of women and girls to education, and the quality of that education; reducing dropout rates, in particular in rural, remote and indigenous areas; supporting preschool education on a continued basis; and substantially increasing access to secondary education. Please also provide information about whether integrated sexual education is offered to girls and boys within the school curriculum and what steps have been initiated to introduce legal initiatives in this area. Please provide information about the programmes for Honduran women of African descent in order to enhance their access to education and information about the impact assessment of such programmes.**

55. For the 2015 school year, the enrolment figures reported by the Ministry of Education database are as follows: pre-basic education, 229,483 students, of whom 50 per cent are girls; basic education, 1,154,478 students, of whom 48.8 per cent are

girls; middle school, 238,781 students, of whom 56.5 per cent are girls. No exclusively gender-focused budget appears; however one is being considered for the 2017 Regular Budget.

56. Nationwide coverage is 58.2 per cent. For the population aged 3 to 5 years, 33.1 per cent are attending pre-school; for those aged 6 to 11 attendance in the first two levels of basic education is 93 per cent; among those aged 12 to 14, 50.9 per cent are attending the third level of basic education (grades 7 to 9); and for the 15 to 17 year age group attending diversified education, the coverage is 30.7 per cent (Ministry of Education — INE).

57. Comprehensive sexual education is being provided to boys and girls in accordance with the curriculum. Steps have been taken to introduce legal initiatives in this area and programmes are under consideration for Honduran women of African descent, aimed at improving their access to education, including: "Taking care of my health and my life" and "School for fathers, mothers and educational caregivers". Partnerships have also been forged between the National Violence Prevention Programme of the Attorney General, the Ministry of Education and the Ministry of Security to provide training for educators nationwide on prevention of bullying and abusive sexual conduct among students in schools and colleges.

58. Inter-cultural bilingual education for indigenous students and students of African descent continues to be gradually consolidated at 1,128 pre-schools and elementary schools located in 15 of the 16 departments of the country. To improve administrative structures in this sector, the Directorate General of Intercultural Multilingual Education under the Ministry of Education was launched in 2013. Through this mechanism, the following academic credentials, among others, are being awarded: basic diploma in sciences and humanities (Bachillerato en Ciencias y Humanidades) for the Tawahka people; undergraduate degree (licenciatura) in bilingual intercultural basic education; and diploma in educational quality management for intercultural multilingual education.

59. With a view to bringing about changes in the patriarchal and male-centred culture of Honduran society various activities are being pursued by subdirectorates. Initiatives for disabled and gifted persons are conducted by the Subdirectorate of Education for Prevention and Social Rehabilitation. Similarly, among measures adopted to address the multiple forms of discrimination against women, a Commission on Gender has been formed, and with technical assistance from INAM and financial support from FORTA, a training and awareness-raising campaign focused on gender is being conducted at the central level.

Employment

60. Please provide information about steps taken to enhance conditions to improve the situation of women in the labour market and to eradicate child labour, including the measures taken for the effective protection of indigenous women and women of African descent engaged in domestic work. Please also provide disaggregated data about the proportion of women in the informal sector, the existence of minimal regulation on the condition of women workers in this area and steps introduced to protect women from abusive practices. Please provide information about the measures taken to monitor and improve the situation for women working in the maquilas (assembly plants).

61. The Ministry of Labour and Social Security has implemented the Working Women Programme, which aims to promote actions in the area of women's rights in the formulation, coordination, execution, evaluation and monitoring of all policies, measures and indicators relating to the labour activities of the Ministry of Labour and Social Security, encouraging and overseeing compliance with labour standards in force relating to women's rights and bringing about their applicability under equal conditions without any discrimination.

62. The Government has been promoting public policies in this area aimed at job creation in the formal sector and at ensuring better conditions for those working in the informal sector. Support is provided to productive micro-enterprises and to family farms. In this way, 24,000 sources of income were generated during 2014 alone, particularly for women, who have launched small businesses for preparation of popular foods, as well as family and community kitchen gardens. With regard to legislation, an Act for Protection of Earnings and Regularization of Informal Employment has been passed.

63. As a measure for eradicating child labour, a national policy has been formed called the Road Map to Make Honduras a Country Free of Child Labour, Including Its Worst Forms. This is a plan of action which lays down goals, results, indicators, and fundamental strategies aimed at the elimination of child labour by 2020.

64. According to the statistics, wage-earning women fall into the following categories of work: public, 231,671; private, 1,364,755; domestic employment, 99,366; and unpaid family work, 483,368.[17]

Health

65. **In its report, the State party mentions that abortion is still a crime in Honduras. Please provide information on the impact of unsafe abortion on maternal mortality. Please provide information on how women qualify for a therapeutic abortion in the established cases to which the State party makes reference in paragraph 130 of its report. Please also provide information about the measures taken to enable girls and women in rural and urban areas to have easy and affordable access to family planning and services and contraceptive methods. Please provide information about whether the State party conducts studies to evaluate the impact of the prohibition of the prescription, sale and use of emergency contraception, particularly in cases of rape and incest.**

66. In 2012-2013, records of maternal deaths in Honduras hospitals indicate that five per cent of all deaths are related to unsafe abortions; of all these, less than two per cent are identified as spontaneous.[18]

67. The Ministry of Health has implemented at the national level a methodological strategy for family planning services whose goal is systematization of healthcare processes both in the health regions and in the integrated networks of health services, which will make it possible to improve supply and widen access for users and potential users of contraceptive methods, which in turn helps to lower maternal and perinatal deaths and unwanted pregnancies.

[17] Source: INE.

[18] ENDESA 2012-INE.

68. At present the country uses a mix of contraceptive methods in keeping with the manual of standards on family planning, climacteric, menopause and infertility.[19] There are no emergency contraceptives; initiatives have been taken in the legislative domain, but the debate has not led to their approval and availability in the country.

69. Since August of 2015, the hormonal contraceptive method known as Implanon is being used. The Ministry of Health and the Office of the First Lady have provided for gynaecological services and family planning in different departments of the country through (mobile) preventive medical clinics.

70. The national programme for adolescents has created mechanisms allowing for the development of care facilities for adolescents that provide family planning services; the Leonardo Martínez Hospital in the city of San Pedro Sula, and the Alonzo Suazo Health Centre in Tegucigalpa are currently our frame of reference.

71. According to the latest health survey, 97 per cent of women who gave birth in the last five years before the survey received pre-natal care from qualified personnel. This represents a 5 per cent increase over the 92 per cent.

72. **Following the Committee's previous concluding observations (CEDAW/C/HON/CO/6, para. 24), please provide updated statistical information about the prevalence of HIV/AIDS in women, including indigenous women and women of ethnic minority groups. Please provide information about the effectiveness of the sexual education programmes delivered in schools and health-care centres.**

73. The National Strategic Plan on Response to HIV and AIDS in Honduras (PENSIDA IV) 2015-2019 is the result of a broad participatory process with inputs from government, civil society, the United Nations, and bilateral and multilateral donors. It is based on the most recent epidemiological and sexual behaviour data from the Central American Survey of Sexual Behaviour and HIV/STI Prevalence among Vulnerable Populations (ECVC 2012) as well as other studies, programmatic reports and interviews with key informants of different sectors; it seeks to respond to priorities identified in the areas of prevention, comprehensive care and strategic information. It features complete statistics on prevalence of HIV/AIDS among women, including indigenous women and women belonging to ethnic minorities.[20]

Rural Women

74. **Please provide information about the number of women living in rural areas and the resources provided for women through CrediMujer and the National Bank of Agricultural Development. Please indicate what, if any, steps have been taken to introduce agrarian reforms for women. Please inform the Committee of any existing property titles owned by indigenous women and women of African descent. Please provide information about efforts to help the women living in rural areas to face the negative impact of the drought.**

75. The law enacting the CrediMujer programme has been published and resources will be provided through regulations that are in the process of approval. However, the Government has undertaken a series of initiatives opening access to credit for women through the Firsa Funds, created pursuant to Executive Decree PCM-017-2014, which aims to create a highly accessible source of funding for women farmers in order to

[19] See annex.

[20] National Strategic Plan on Response to HIV and AIDS in Honduras (PENSIDA IV) 2015-2019.

give them access to financing through the rural savings banks of the Ministry of Agriculture and Livestock.

76. The presidential programme known as Solidarity Credit (Crédito Solidario) was created by executive decree[21] for the benefit of entrepreneurial men and women of the country's micro-entrepreneur sector, granting them technical assistance and solidarity credit; the aim is to generate jobs for families with incomes below 3 minimum wages.

77. The National Agrarian Institute through the Rural Entrepreneurial Retraining Programme (Programa Reconversión Empresarial Campesina) helps to promote rural women's participation and capacity by fostering their involvement in entrepreneurial development processes that help to strengthen productive units, improve their quality of life and reduce poverty in rural Honduras from a gender perspective. This programme has sponsored the formation of 73 peasant associations, benefiting 1,537 peasant families, comprising 639 women and 898 men; 42 rural savings and credit cooperatives have been organized, benefiting 975 families, comprising 363 women and 612 men, providing training to 7,981 women.

78. As regards the titles issued to indigenous peoples and Hondurans of African descent, these are community or inter-community titles and are adjudicated by the INA to communities or territorial councils with legal personality; these titles include indigenous women and Honduran women of African descent.

79. The Ministry of Agriculture and Livestock, through the issuance of Productive Solidarity Bonds, has encouraged the production of basic grains in order to ensure a secure supply of sufficiently nutritious foods for families in rural areas. During 2014-2015, a total of 147,120 Productive Solidarity Bonds were awarded through the Ministry's Directorate of Science and Technology to as many families in 17 departments of the country.

80. Competitiveness projects: The Rural Sustainable Development Programme for the Southern Region (EMPRENDESUR) and the Project Enhancing Competitiveness of the Rural Economy in Yoro (PROMECOM), have, during 2014-2015, benefited 4,378 families with Comprehensive Investment Plans, which contribute to generating sources of income for these families, facilitating sustained access to food in the projects' areas of intervention.

Disadvantaged groups of women

81. Please provide information regarding progress made to implement the national policy against racism and racial discrimination for the period 2014-2022 and the steps taken to remedy violence against indigenous and women and girls, and women and girls of African descent. Please also provide information about cases of land eviction in favour of corporate development projects, which reportedly places communities, particularly indigenous ones, in situations of extreme risk and vulnerability, with women and children bearing most of the cost, as noted in the 2014 report of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/29/27/Add.1). Please provide disaggregated data on the multiple forms of discrimination faced by women belonging to indigenous groups and/or women of African descent.

[21] Decree PCM-05-2015.

82. The process of implementing the Policy against Racism and Racial Discrimination adopted on 11 April 2016 by decree PCM-027-2016, whose main point is defence against and eradication of racism and racial discrimination, has begun.

83. Now in the process of being introduced into practice is a Manual on Investigation and Protection of Human Rights of Indigenous Peoples and Hondurans of African Descent by the Special Prosecutor on Ethnic Groups and Cultural Heritage, with the support of the United Nations Development Programme (UNDP) and the Directorate of External Cooperation of the Office of the Attorney General.

84. The Honduran Government, wishing to resolve the conflicts engendered by land evictions, has initiated as from September 2011 the Xatruch Task Force, composed of elements of the Armed Forces and National Police, whose activities include patrols and detentions in the conflict zone, confiscation of weapons in application of Legislative Decree No. 117-2012, detention of persons with arrest warrants, and dismantling of criminal bands. Dialogue between farmers and corporations has also been encouraged, leading to a significant reduction in occupations of farms.

85. With regard to evictions in the communities of indigenous and Afro-descendent people, the National Agrarian Institute (INA) granted four community titles to the Tawahka people; however, that issue has remained alive and at present is being looked into by the Special Prosecutor on Ethnic Groups, the INA, the Institute for Forest Conservation (ICF) and the Ministry for Natural Resources and Environment (SERNA).

86. **Please provide information about the policies and programmes existing in the State party for women with disabilities, women in detention and lesbian, bisexual, transgender or intersex women, with regard to their access to justice, health and social services, education, employment and protection against violence and discrimination. Please provide information on how the Comprehensive Act on Protection for Older Persons and Retirees (2007) and the Directorate-General for Older Persons has advanced the rights of older women.**

87. As part of a continuing dialogue between the Ministry of Human Rights, Justice, Interior and Decentralization and the sexually diverse population, emphasis has been placed in 2015 on implementation of 20 initiatives in favour of this community under the National Plan for Human Rights. These activities range from proposed legal reforms to discourage discrimination to sensitivity training among public service employees, subsidization of training programmes conducted by organizations of the sector and issuance of periodic reports on advances made in the field by government ministries.

88. The National Commission on Human Rights has a National Office for the Defence of Sexual Diversities. The National Commission on Human Rights, both through the central office and through branch offices around the country, has conducted activities of vigilance, promotion, protection and defence of human rights of the sexually diverse population; a significant percentage of those activities are focused on preventing violence or violation of their rights.

89. With respect to legislation, very important advances are being made in providing access to persons with disabilities, e.g. the approval of the Act to Promote and Develop Comprehensive Care and Inclusion of Persons with Disabilities (2013);

the Public Policy for the Exercise of the Rights of Persons with Disabilities and their Social Inclusion in Honduras (2013); and the Honduran Sign Language Act of January, 2014, which has facilitated access to education, communications and equitable exercise of rights for the deaf.

90. CONADEH has a National Office for the Defence of Persons with Disabilities. In 2015 it launched the project "Promoting the Rights of Persons with Disabilities and Inclusive Development in Honduras." Its main goal is to encourage, locally and nationally, the effective applicability of national and international rules on persons with disabilities.

91. With regard to women deprived of their liberty, the National Women's Prison for Social Adaptation (PNFAS) has a population of 408 women prisoners; less than 40 per cent have been sentenced and the rest are being processed. Access to justice is provided through the Office of the Public Defender and the Sentence Enforcement Courts, as well as personnel of the CONADEH offices at the national level, who carry out monthly inspections. Clinics are held to consider sentencing complaints arising out of those inspections and reports of violations of rights.

92. The Women's Prison for Social Adaptation is a model rehabilitation centre with 8 houses for processed and sentenced women as well as a crèche house for mothers with children aged up to 4 years as well as expectant women, which has a training centre where workshops are held for women prisoners to learn a variety of manual skills. It also has a Basic School teaching grades 1 through 9 and is now introducing secondary schooling through the secondary-diploma level in Sciences and Humanities, where women inmates are currently taking the first year of instruction. Finding the means to enable older women to be released from prison on humanitarian grounds continues to be a challenge.

Refugees, asylum seekers and the internally displaced

93. Please provide information about the steps taken to develop and implement a comprehensive human rights-based policy and programme to address the root causes of the migration of unaccompanied children, focusing on the specific situation of girls, and to address the situation of children in the State party left behind by migrant family members. Please provide information about the specific situation of girl children. Please also inform the Committee about the impact of the Consular Protection Subdirectorate, established in August 2010, which the State party suggests would ensure the prompt and safe repatriation of unaccompanied girls, boys and adolescents from Mexico (CEDAW/C/HND/7-8, para. 63).

94. Among measures adopted to frame a comprehensive approach to the problem of unaccompanied migrant children, the President of the Republic issued an emergency decree to confront the problem and coordinate all government agencies with jurisdiction in the area, led by the Directorate for Afro-Honduran People (DINAF), in July of 2014. A Task Force on Migrant Children was also established, made up of various departments and coordinated by the First Lady; this committee has carried out field work at custody centres and shelters in the United States and Mexico to directly ascertain the situation of children and family groups, generally families with single-mother heads of household.

95. The Directorate has, from its inception, conducted the following activities: Creation of the Omoa Centre for Migrant Returnees, which receives all adults returning from Mexico; refurbishing and financing for the operations of the Centre for Migrant Children and Families of Belan, which receives children and families returning from Mexico, the United States and Guatemala; coordination of receiving schedules for returning migrant children; creation of protocols for care of migrant child returnees; creation of the protocols for reception at migrant care centres for returnees in San Pedro Sula and Omoa; creation of special guidelines of care for persons or those displaced by violence; creation of a re-assimilation and employment pathway for returnee migrants with disabilities; strengthening of the consular network through training on various protection topics; signing of agreements with external NGOs to offer free legal aid to Hondurans; and ratification of protocols for dignified, flexible and safe return of fellow nationals.

96. The Consular and Migratory Observatory ("CONMIGHO") which oversees in real time the work done at each Honduran consulate, has been created; and statistics relating to migration matters are being generated.

97. The ALHO Call Centre, a facility for calls and requests made by Hondurans in Mexico, the United States and Spain, has been created.

Marriage and family relations

98. Please provide information about progress made to address the discriminatory provisions identified in the report of the State party (para. 197), including with regard to the minimum age for marriage and the review of biological criteria in the legislation on children and adolescents.

99. Amendments were made to the Family Code regarding the economic regime of marriage, providing that property acquired as the product of work by the spouses is to be distributed equally in the event of separation. Also, one who performs a marriage now has the obligation to ask the couple which economic regime they wish to adopt. The contracting spouses will have the option of saying whether they wish to marry under the regime of community property, meaning that property is shared equally; joint property, meaning that both are owners of everything; or separate property, meaning that each owns what he/she buys during the marriage and what he/she already has.[22]

100. A Responsible Parenthood Act has been adopted, which: provides that the child must receive from its parents care and attention to material, affective and emotional needs and have a relationship with its father and mother when they separate; creates a register of penalties for fathers and mothers who are delinquent in their obligations, ranging from denial of a driver's licence or of a passport renewal to denying approval of a credit card; creates a Registry of Child Support Debtors, whose purpose is to ensure and coordinate official interventions for compliance with support obligations for minor children; provides that when a court order recognizes paternity or maternity, the jurisdictional organ shall order the party at fault to repay the mother, according to principles of equity, for expenses of prenatal and post-natal care; that the Ministry of Education and other responsible authorities, within their sphere of competence, shall formulate and carry out public policies and campaigns on responsible parenthood.

[22] DECREE No. 31-2015.

Optional Protocol and the amendment to article 20 (1) of the Convention

101. With regard to paragraph 186 of its report, in which the State party addresses the country's position on the Optional Protocol, please indicate progress made with respect to the ratification of the Optional Protocol. Please also provide information about the acceptance of the amendment to article 20 (1) of the Convention.

102. A working group has been formed composed of government agencies, NGOs, the Gender Commission of the National Congress, civil society, women's organizations and the women's movement to formulate a plan of action for ratification of the aforementioned protocol.